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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/044,289	01/11/2002	Jeremy N. Sokolic	CE1-007US	6852

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EXAMINER

REVAK, CHRISTOPHER A

ART UNIT PAPER NUMBER

2131

DATE MAILED: 09/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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## Office Action Summary

Application No.

10/044,289

Applicant(s)

SOKOLIC ET AL.

Examiner

Christopher A. Revak

Art Unit

2131

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 11 March 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>see attached</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Information Disclosure Statement***

1. The information disclosure statements (IDS) submitted on May 14, 2003 and March 11, 2005 are in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-23 are rejected under 35 U.S.C. 102(e) as being anticipated by Jerger et al, U.S. Patent 6,473,800.

As per claims 1,15,16, and 19, Jerger et al teaches of a method and of a computer readable medium comprising computer instructions executable by a processor to present a user with a plurality of modes of operation (col. 3, lines 5-8 & 55-59 and col. 71, lines 63-65). The plurality of modes of operation define different trust options for handling sensitive data associated with the user (col. 4, lines 19-23). A user selects one of the plurality of modes of operation and handles sensitive data associated

with the user in accordance with the selected mode of operation (col. 3, line 63 through col. 4, line 12).

As per claims 2 and 20, it is disclosed by Jerger et al that the plurality of modes include a low trust option for handling sensitive data associated with the user, the low trust option configured to retrieve sensitive data from the user each time the user requests a service requiring the sensitive data (col. 4, lines 4-7 and col. 18, lines 40-42).

As per claims 3 and 21, Jerger et al teaches that the low trust option does not persistently stored sensitive data after the requested service requiring the sensitive data being completed (col. 4, lines 4-7 and col. 18, lines 40-47).

As per claims 4 and 22, Jerger et al discloses that the plurality of modes include a high trust option for handling sensitive data from the user and stored the sensitive data in an encrypted format for future use (col. 4, lines 4-7 & 12-26; col. 18, lines 40-45; and col. 28, lines 55-63).

As per claim 5, it is taught by Jerger et al that the plurality of modes include a high trust option for handling sensitive data associated with the user, the high trust option configured to retrieve sensitive data from the user, encode the sensitive data using two-way encryption and stored the encrypted sensitive data (col. 4, lines 4-7 & 12-26; col. 18, lines 40-45; and col. 28, lines 55-63).

As per claims 6 and 23, it is disclosed by Jerger et al that the plurality of modes include a moderate trust option for handling sensitive data associated with the user, the moderate trust option configured to retrieve sensitive data from the user and store the

sensitive data in an encrypted format using a password known only to the user (col. 4, lines 4-7; col. 19, lines 42-45; and col. 28, lines 55-63).

As per claim 7, Jerger et al teaches that the plurality of modes include a moderate trust option for handling sensitive data associated with the user, the moderate trust option configured to retrieve sensitive data from the user, encode the sensitive data using a one-way encryption technique and store the encrypted sensitive data (col. 4, lines 4-7 and col. 28, lines 55-63).

As per claims 8 and 13, Jerger et al discloses of assigning a default mode of operation is the user does not select a valid mode of operation (col. 3, lines 63-65).

As per claims 9 and 12, the teachings of Jerger et al disclose of associating a user account with the selected mode of operation (col. 3, line 63 through col. 4, line 12).

As per claims 10 and 14, Jerger et al discloses of a method and of a computer readable medium comprising computer instructions executable by a processor for presenting a user with a low trust mode of operation, wherein the low trust mode of operation retrieves sensitive data from the user each time the user requests a service requiring the sensitive data (col. 3, lines 5-8 & 55-59; col. 4, lines 4-7; and col. 18, lines 40-42; and col. 71, lines 63-65). The user is presented with a high trust mode of operation wherein the high trust mode of operation stores sensitive data received from the user in an encrypted format (col. 4, lines 4-7 & 12-26; col. 18, lines 40-45; and col. 28, lines 55-63). A selection is received from the user indicating one of the two modes of operation and handling sensitive data associated with the user in accordance with the selected mode of operation (col. 3, line 63 through col. 4, line 12).

As per claim 11, Jerger et al teaches of presenting the user with a moderate mode of operation, wherein the moderate trust mode of operation stores sensitive data from the user in an encrypted format using a password known only to the user, and receiving a selection from the user includes a selection indicating one of the three modes of operation (col. 3, line 63 through col. 4, line 12; col. 19, lines 42-45; and col. 28, lines 55-63).

As per claims 17 and 18, Jerger et al discloses of a method and of a computer readable medium comprising computer instructions executable by a processor for presenting a user with a moderate trust mode of operation, wherein the trust mode of operation stores sensitive data from the user in an encrypted format using a password know to the user (col. 3, lines 5-8; col. 3, line 63 through col. 4, line 12; col. 19, lines 42-45; col. 28, lines 55-63; and col. 71, lines 63-65). The user is presented with a low trust mode of operation, wherein the low trust mode of operation retrieves sensitive data from the user each time the user requests a service requiring the sensitive data (col. 3, lines 5-8 & 55-59; col. 4, lines 4-7; and col. 18, lines 40-42; and col. 71, lines 63-65). A selection is received from the user indicating one of the two modes of operation and handling sensitive data associated with the user in accordance with the selected mode of operation (col. 3, line 63 through col. 4, line 12).

**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher A. Revak whose telephone number is 571-272-3794. The examiner can normally be reached on Monday-Friday, 6:30am-3:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CR  
*Cn*  
September 3, 2005

Christopher Revak  
Primary Examiner  
AU 2131

*Cell*  
9/3/05